IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SECOND DAY OF SEPTEMBER,
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

WRIT PETITION NO : 20752 of 1993

Between:

Chilla Kanaka raju S/o late Guruvulu Reddy
C.M.E.'s Office, (Drawing Office), Visakhapatnam Port Trust,
Visakhapatnam

..... PETITIONER

AND

1 The Chairman, Visakhapatnam Port Trust, Visakhapatnam
2 Chief Mechanical Engineer Mechanical Dept.,
V.P.T., Visakhapatnam & Chairman Selection Committe for
Draughts man 'C' Post
3 V. Bhaskara Rao presently Draughts man 'D'
C.M.E. Office (Drawing Office) Visakhapatnam Port Trust,
Visakhapatnam

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court MAY be pleased to issue an order, direction or Writ particularly one in the nature of a writ of Certiorari calling for the records pertaining to the order of the 2nd respondent i.e., Chief Mechanical Engineer, Visakhapatnam Port Trust, (Mechanical Dept.) vide Procs.No.E/C/C.M.E.'s Office
dt 28-12-93 and quash the same by declaring it as illegal, arbitrary, biased and mala fide and contrary to the elementary principles of selection for promotion and also offends under Articles 14, 16 & 21 of the Constitution of India and consequently direct the 2nd respondent to place the petitioner at S.No.1 in the order of merit for the post of Draughts man 'C' and regularise the petitioner in the said post from 24-7-91 with all consequential service and monitary benefits.

Counsel for the Petitioner : MR.J.VENUGOPAL RAO

Counsel for the Respondents 1 AND 2: MR.A.RAJASHEKAR REDDY (SC FOR CG)

Counsel for the Respondent No.3: Mr.K.Srinivasa Murthy,

The Court made the following :

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O R D E R :

This Writ Petition is filed by the petitioner seeking writ of Certiorari challenging the order dated 28.12.1993 passed by the Chief Mechanical Engineer, Visakhapatnam Port Trust (Mechanical Department) in Proceedings No. E/C/C.M.E.'s Office.

2. The petitioner was promoted as Draughtsman 'C" candidate on adhoc basis on 24.7.1991 and he has been performing his duties as Draughtsman 'C' for about 2 ½ years and became eligible and qualified to be regularized in the said post as Draughtsman 'C' in the same department.

3. On the other hand, the grievance of the petitioner is that the third respondent was junior to him and that he was made permanent in the post of Draughtsman 'D' and so he sought for appropriate direction.

4. Now it is brought to the notice of this Court that the petitioner has been promoted. Under those circumstances, I do not find any grounds to adjudicate the matter at this distance of time.

5. Accordingly, the Writ Petition is closed. No costs.

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G. BIKSHAPATHY, J

Dated:02-09-2004

ccm

To

1. The Chairman, Visakhapatnam Port Trust, Visakhapatnam
2 The Chief Mechanical Engineer Mechanical Dept.,
V.P.T., Visakhapatnam & Chairman Selection Committe for
Draughts man 'C' Post
3. 2CD copies